

MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY, MARCH 19, 2012, AT 6:00 P.M., IN THE CHAMBERS OF TOWN HALL, LOCATED AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA.

CALL TO ORDER:

Mayor Kilvinger called the meeting to order at 6:01 pm.

ROLL CALL:

Present: Kilvinger, Smith, Woolridge, Celaya, Raasch, Hawkins, Brown.

PLEDGE OF ALLEGIANCE

Councilmember Brown led the Pledge of Allegiance.

CALL TO THE PUBLIC

Call to the Public for public comment on issues within the jurisdiction of the Town Council. Council rules limit public comment to three minutes. Individual Councilmembers may respond to criticism made by those commenting, may ask staff to review a matter raised or may ask that a matter be put on a future agenda. However, members of Council shall not discuss or take action on any matter during an open call to the public unless the matters are properly noticed for discussion and legal action.

Ms. Denise Kollert, 802 E. McFarland Blvd., Florence, Arizona, said that she came before the Council four years ago regarding the engine brake law. She said she was told that there was a law in place. She inquired why there were no signs posted. She said there are still aren't any signs posted. She inquired if ADOT was ever asked to post signs in the area, and if not, she asked that the ADOT be contacted to post signs.

PUBLIC HEARING

Public Hearing and first reading of Ordinance No. 574-12.

Mr. Himanshu Patel, Town Manager, read Ordinance No. 574-12 by title only.

AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING AN AMENDMENT TO THE MONTERRA PUD (PLANNED UNIT DEVELOPMENT) (CASE NO. PZC-06-12-PUDA).

Mark Eckhoff, Community Planning Director, said that the request is for an amendment to Monterra Planned Unit Development. He described the location being at the southwest corner of Attaway and Hunt Highway, which is located south of Hunt Highway, east of Attaway Road, and north of the Gila River. He said it is broken up into different parts based on ownerships. He said the Town started having discussions with the property owners, at that time, in 2005. He said the zoning was started and a development agreement was done. He said there was a home builder that was going on the south portion of Monterra. He said lots were platted and recorded. He said they

started grading and worked up to the point of putting utilities in the ground. He said then in 2006, the housing market fell out and the home builder went out of business. Mr. Eckhoff said the land changed ownership and there are now two ownership groups. He said Silverado would like to integrate a 45 megawatt solar project on 300 acres on the property of the Monterra Project.

Mr. Eckhoff said there were things with Monterra that needed to be addressed, such as:

- Change of ownership
- Felix Road extension through the project and come out on Attaway
- Road extension was done viability for commercial looked pretty good and the General Plan was amended to allow for commercial to be incorporated into Monterra.
- Palmer Road alignment to the south of the project and access it had to provide to the sand and gravel pit. He said the land south of the Palmer Road alignment is still in the Monterra Project but is broken off from residential component because of the access road to the sand and gravel pit.
- Incorporated platted lots in the south portion of project. He said if changes were done to this area, a re-subdivision would need to be done.

Mr. Eckhoff said there are two options for the plan. He said if the solar plant can't come to fruition, the project can still go forward with the existing Monterra, but it would reincorporate the residential back into the area where the solar is. He said the Felix Road extension and the commercial would remain.

Mayor Kilvinger opened the Public Hearing.

Tom Rankin, 345 W. Highway 287, Florence, Arizona, said he looked at the plan and he reviewed the parks in the vicinity. He said all recreation facilities in Town are used to the maximum. He said he didn't see anything in the plans for any recreational parks, sports fields, etc. He said the Town should work with the owners for dedication of property for recreational facilities. He said recreation facilities need to be put in for the residents that will be living there. He said the sports field that the Town has south of the river is not large enough to accommodate the Town's population.

Vice-Mayor Smith inquired about the following intersection:

- Felix Road and Hunt Highway – cross intersection
- Attaway and Hunt Highway – is a bad intersection
- Felix to Attaway

Mr. Eckhoff said if the Town went forward with the solar project, they would be required to address how they will have access to their project. Mr. Eckhoff said while the project is in construction, they will have approximately 100 – 150 employees. He said the project can take between nine and twelve months to complete.

Mr. Eckhoff said if the rest of the project develops and they start doing subdivisions, start building the Felix Road extension, Attaway Road extension, and the intersections with Hunt Highway, they will be required to submit traffic impact analysis. The analysis will address the nature of the improvements that will be required, look at the need for

signalization, the need for traffic signals, turning movements, when the improvements would occur, etc.

Mr. Wayne Costa, Public Works Director, said the intersections will require additional right of way acquisition, Felix and Hunt, and Attaway and Hunt. He said that Attaway and Hunt alignment needs to be revised in order to accommodate certain curvature requirements for site distance. He said they have made improvements to Attaway Road and they are holding up very well. He said they have also made some drainage improvements. SCID has allowed the Town to extend the culverts on Attaway. He said they plan on making some improvements in the future, which would entail a larger turning radius to prevent the problem with stacking. He said they are experiencing approximately 8500 ADT cars per day on that road. He said many of the large semi trucks and axle type vehicles are backed up. He said the immediate concern is to address the safety improvements at that intersection until they acquire the proper right of way.

Councilmember Celaya inquired if there are components that will tie into parks and trails.

Mr. Eckhoff said with regards to parks, there is an elementary school that is configured into the plan, should the school district be interested in pursuing that. He said there is also a neighborhood park, which could be an HOA or Town park. He said the location is not programmed for a regional type of facility. He said they may have to visit the Parks, Trails, and Open Space Master Plan because of the changes in the development impact fees and the sizes of parks that it can fund with it. The regional parks that they are looking at are primarily expansion of Heritage Park and another regional park in the Arizona Farms Road area. He said they would also develop the rodeo grounds and a more passive park around F Mountain. He said there is no regional type park planned for the Monterra area. He said with regards to the extension with Framework Plan, there are plans for a linear park in the south part of the Gila River from SH79 to Plant Road. He said there are a few more challenges for it to carry on because of the nature of the sand and gravel operation and ownership of land within the river bottom. He said the area is unencumbered as far as the sand and gravel operations, and if you go further east and west, it becomes more of an issue.

Councilmember Celaya asked what the financial impact will be to the Town and if this was discussed with the Economic Development Coordinator. He also asked what type of tax revenue will be generated from the project. He inquired if there is tax exemption allowed for the property owner of this type of facility, or will they generate property tax revenue.

Mr. Eckhoff said that they have been coordinating with the Economic Development Coordinator on the project. He said they are not sure if Silverado will pursue ownership of the facility or if they will lease. He said it will be a private entity that owns the land. He said revenues will be generated through plan review fees and permitting fees, and inspections, which are one time fees. He said construction sales tax will be generated through the construction phase, which is also a one time generating revenue. He said they will also have a number of employees in the construction phase which will generate revenue.

Mr. Eckhoff said the indirect benefits are that the housing market will take a long time to recover and this a good interim type of project and shows interest in an emerging industry. He said they hope that having reputable companies doing business here will have an indirect spinoff that will allow the Town to develop some other solar or alternative industries in the area. Ultimately, the Town would like to get into the more beneficial side for the Town, which is the manufacturing and distribution of some of the components that go into these projects.

Mr. Eckhoff said they do not have a dramatic footprint on the land and are environmentally compatible. The project will be low profile and will not generate a lot of noise and the project can be easily removed. He said the life span is a 15 – 25 years, with the average life span at approximately 20 years.

Councilmember Celaya inquired if there is an exit strategy built into the agreement.

Mr. Eckhoff said there is no exit strategy discussed in the project. He said there is nothing specific that tells them what to do.

Councilmember Celaya said that he is concerned about the cost to bring it back to its original state once the project ends.

Garret Bean, Silverado Power, 44 Montgomery Street, San Francisco, California, gave a brief history of the company. He said they employee 14 people and have projects throughout California, Arizona, and New Mexico. He said they have over 50 years experience. He said the proposed facility will be on 300 acres, 45 megawatts. He said they will employ approximately 160 employees during construction, which will be between nine and twelve month. He said there will be approximately ten employees to keep the facility running. They will also do maintenance, repairs on the facility, maintaining the landscape, and monitoring the system and making sure it is producing electricity.

Mr. Bean said the project life is approximately 25 years. He said they would like to own the facility and take it to the life of the project. If it makes economic sense, they would like to keep it going after its life span. He said the project is very low impact. The photovoltaic solar panels are attached to a racking system on poles that are in the ground. Mr. Bean said if they chose to repurpose the land, they would take the panels off and the poles out because the recycle value of the items would be enough of an incentive to remove the facility.

Councilmember Brown said she would like to see something in the agreement that they will remove all the equipment at the end of the project.

Mr. Eckhoff said that a stipulation could be added to the Ordinance to address that particular issue.

Mr. Bean said he will work with Mr. Eckhoff on the stipulation.

Mayor Kilvinger closed the Public Hearing.

CONSENT: All items indicated by an (*) will be handled by a single vote as part of the consent agenda, unless a Councilmember or a member of the public objects at the time the agenda item is called.

***Resolution No. 1337-12:**

Mr. Patel read Resolution No. 1337-12 by title only.

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FY 2012-13 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS, CERTIFYING THAT SAID APPLICATION ADDRESSES THE COMMUNITY'S PREVIOUSLY IDENTIFIED NEIGHBORHOOD REVITALIZATION AND REDEVELOPMENT NEEDS AND MEETS THE REQUIREMENTS OF THE STATE CDBG PROGRAM, AND AUTHORIZING ALL ACTIONS NECESSARY TO IMPLEMENT AND COMPLETE THE ACTIVITIES OUTLINED IN SAID APPLICATION.

***Resolution No. 1338-12:**

Mr. Patel read Resolution No. 1338-12 by the title only.

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING THE SUBMISSION OF APPLICATION(S) FOR FY 2012-13 STATE SPECIAL PROJECT (SSP) GRANT FUNDS, CERTIFYING THAT SAID APPLICATION ADDRESSES ONE OF THE COMMUNITY'S PREVIOUSLY IDENTIFIED URGENT NEEDS AND MEETS THE REQUIREMENTS OF THE STATE SSP PROGRAM, AND AUTHORIZING ALL ACTIONS NECESSARY TO IMPLEMENT AND COMPLETE THE ACTIVITIES OUTLINED IN SAID APPLICATION.

***Authorization to dispose of the Asset Numbers 990.041 and 10.511.213, by donating two Police vehicles to the Central Arizona Valley Institute of Technology Law Enforcement Program.**

***Authorization to enter into a Memorandum of Understanding with the United States Marshals Service.**

***Authorization to award bid for a JCB forklift/telescopic handler to EKA in an amount not to exceed \$84,899.87.**

***Approval of accepting the register of demands ending February 29, 2012, in the amount of \$1,427,838.76.**

On motion of Vice-Mayor Smith, seconded by Councilmember Raasch, and carried to approve the Consent Agenda as presented.

UNFINISHED BUSINESS

ORDINANCE NO. 573-12:

Mr. Patel read Ordinance No. 573-12 by title only.

AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE TOWN OF FLORENCE CODE OF ORDINANCES, TITLE XV: LAND USAGE, CHAPTER 150 DEVELOPMENT CODE, SECTION 150.095 DEFINITIONS, SECTION 150.096 LOCATION, SECTION 150.119 TEMPORARY SIGNS, SECTION 150.123 EXCEPTIONS, PERMITS NOT REQUIRED AND SECTION 150.125 PROHIBITED SIGNS (CASE PZC-1-12-ORD) (First reading held March 5, 2012).

Councilmember Hawkins said that he has had some of the public inquire about the signs being professionally constructed and referenced the resolution. He said he wants the public to know that the signs will be maintained to the normally accepted and aesthetic value and will be professional looking. He inquired who will inspect the signs.

Mr. Eckhoff said the same provision is found in the sign code in relationship to other types of signs that are put onto a building. He said it is addressed through compliance with the Building Inspector and Code Compliance team.

Councilmember Brown said there are banners that are not presentable and have been out far too long. She inquired how long they will be allowed to be hung and how is it patrolled to ensure that only presentable signs are displayed.

Mr. Eckhoff said that code compliance will address the issues. He said that there are currently some businesses that are using banners as permanent signs. He said those are being addressed. He said the banners are to be used for special events and not to advertise what products they sell.

Mr. Eckhoff said that at the last meeting, Vice Mayor Smith inquired about the 20 feet separation. He said the change has been made to say it will be one a-frame per business.

On motion of Councilmember Celaya, seconded by Councilmember Raasch, and carried to adopt Ordinance No. 573-10.

DEPARTMENT REPORTS

Manager's Report

Department Reports

Community Development

Court

Finance

Fire

Library

Parks and Recreation

Police

Public Works

Vice-Mayor Smith said there is a difference on the number of permits listed for last month on the Finance and Community Development Reports. He said the Finance Report reported 62 permits and Community Development reported 59.

Ms. Becki Guilin, Finance Director, said she keeps her total based on fiscal year. She said she counts up the development impact fees each month.

Vice-Mayor Smith stated that the Community Development Report references Euclidian zoning is, and inquired about this type of zoning.

Mr. Eckhoff said the Euclidian zoning is being discussed for the Northend Framework area. He said the vision plan was developed and they are discussing how they will zone the properties. He said conventional zoning would not work for the properties because it is not as flexible as it would need to be and everything would be put into a bubble. Mr. Eckhoff said the Euclidian terminology comes from one of the landmark cases in zoning that established enabling legislation for zoning. He said the case was Euclid vs. Amber Realty, so they generically call it Euclidian zoning.

Councilmember Hawkins inquired about the historical street signs and noticed that they are being done in phases. He said the report states as money becomes available, and inquired if the project will be completed by the end of the fiscal year.

Mr. Costa said they have completed installation the signs in the original scope of work, with an additional six signs to be installed in the near future. These signs will fill in the gaps, as they were inadvertently omitted. He said the historic signs on Main Street will be delayed until the curb extension project is completed.

Mr. Patel said the curb extension is part of the recently awarded State Special Project that the Town was awarded from the Arizona Department of Housing. He said it is part of the three projects that CAAG is assisting the Town with.

Councilmember Brown inquired when the curb extension project will start.

Mr. Patel said the design has been done and the Town is about to begin the procurement process. The contract has been received and the Town expects to start construction in the latter part of summer or early fall to start construction.

Councilmember Brown asked when the project will be done.

Mr. Costa said it will take approximately 3 months and they will do one block at a time to minimize the effect on the businesses. He said there are 37 curb extensions. He said there will be nine separate projects and each project will take approximately two weeks to complete.

CALL TO THE COUNCIL

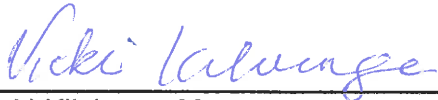
Mayor Kilvinger expressed her condolences to the Feliz family for the loss of their family member, Celia Feliz. She said Ms. Feliz was a great member of the Florence Women's Club and will be missed.

Cheryl Miller, Florence Women's Club, said the rosary will be Tuesday, March 20, 2012, and funeral for Ms. Feliz will be held on Wednesday, March 21, 2012.

Vice-Mayor Smith congratulated Tom Rankin and good luck to all of the other candidates who are running.

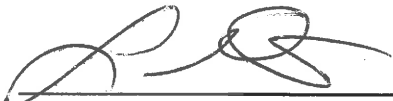
ADJOURNMENT

On motion of Vice-Mayor Smith, seconded by Councilmember Raasch, and carried to adjourn the meeting at 7:08 pm.



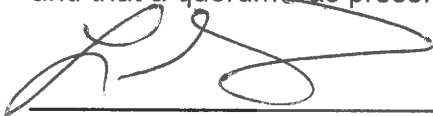
Vicki Kilvinger, Mayor

ATTEST:



Lisa Garcia, Town Clerk

I certify that the following is a true and correct copy of the minutes of the Florence Town Council meeting held on March 19, 2012, and that the meeting was duly called to order and that a quorum was present.



Lisa Garcia, Town Clerk